

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1997 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

13

Application Number

09/830,300

Filing Date

July 5, 2001

First Named Inventor

Achim Berthold

Art Unit

1616

Examiner Name

Sharmila S. Gollamudi

Attorney Docket Number

RO0282US.RCE2 (#90568)

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):return postcard receipt and amendment  
transmittal

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

D. Peter Hochberg Co., L.P.A.

Signature

Printed name

D. Peter Hochberg

Date

November 15, 2004

Reg. No.

24,603

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

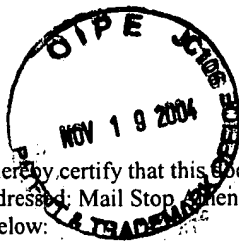
Sean Mellino

Date

11/15/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service as First Class mail in an envelope addressed: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450, on the date noted below:

Date: 11/15/04



Sean Mellino

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Achim Berthold

Serial No. : 09/830,300 / Conf. No. 8251

Filing Date : July 5, 2001

Examiner / Group Art Unit : Sharmila S. Gollamudi / 1616

Title : Therapeutic System Containing an Active  
Substance for the Application on the Skin which Contains  
at least Two Polymerous Layers

Attorney File : RO0282US.RCE2 (#90568)

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**AMENDMENT TRANSMITTAL**

Dear Sir:

Transmitted herewith is an amendment in the above-identified case.

(X) No additional fee is required.

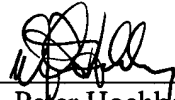
CLAIMS AS AMENDED								
	Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra		Rate	Addtl. Fee
Total Claims	8	-	20	=	0	x	\$ 18.00	\$ 0

Indep Claims	4	-	4	=	0	x	\$ 88.00	\$88.00
SUB TOTAL								\$0.00
SMALL ENTITY ENTITLEMENT MULTIPLICATION FACTOR (50%)								No
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT								\$0.00

- If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 6.  
-- If the "Highest No. Previously Paid For" in this space is less than 20, write 20 in this space.

- ( ) Small Entity Entitlement Form of record.  
( ) Small Entity Entitlement Form enclosed.  
( ) A credit card form is attached in the amount of \$43.00.  
(X) Please charge any additional fees to Deposit Account No. 08-2441.  
(X) **Refund** directly to the undersigned, **specifically identifying our Docket No. RO0282US.RCE2 (#90568)**. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:   
D. Peter Hochberg  
Reg. No. 24,603

D. Peter Hochberg Co., L.P.A.  
1940 East 6th Street - 6<sup>th</sup> Floor  
Cleveland, Ohio 44114-2294  
(216) 771-3800

DPH/sm

**CERTIFICATE OF MAILING**

I hereby certify that this document is being deposited with the United States Postal Service as First Class mail in an envelope addressed: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450, on the date noted below:

Date: 11/15/04



Sean Mellino

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Achim Berthold

Serial No. : 09/830,300 / Conf. No. 8251

Filing Date : July 5, 2001

Examiner / Group Art Unit : Sharmila S. Gollamudi / 1616

Title : Therapeutic System Containing an Active Substance for the Application on the Skin which Contains at least Two Polymerous Layers

Attorney File : RO0282US.RCE2 (#90568)

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**Reply to Office Action Issued October 13, 2004**

Dear Sir:

In response to the Office action dated October 13, 2004, please amend the above identified application without prejudice as follows:

